

NIH POLICY MANUAL

6307-3/26307-3 - SPECIAL CLEARANCE AND OTHER ACQUISITION PROCEDURES

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1. **Explanation of Material Transmitted:** This chapter provides guidance on acquisitions that require (1) clearance, (2) technical coordination, (3) the use of a required source, or (4) an information copy of the purchase order/contract to be furnished to a particular office. It covers both simplified acquisitions and contract actions.
2. **Filing Instructions:**
 - Remove:** NIH Manual 26307-3/6307-3, Special Clearance and Other Acquisition Procedures, dated 10/01/96
 - Insert:** NIH Manual Issuance 26307-3/6307-3, Special Clearance and Other Acquisition Procedures, dated 9/30/98
3. **Distribution:** NIH Mailing Keys F-401, F-404, F-407, F-6, F-7, F-113, F-113B, F-113D

PLEASE NOTE: For information on:

- content of this chapter, contact the Division of Acquisition Policy and Evaluation, OCM, OA, on (301) 496-6014.
- NIH Manual Mailing Keys, contact the Division of Support Services, ORS, on (301) 496-4808.
- NIH Manual System, contact the Division of Management Support, OMA, on (301) 496-2832.
- on-line information, use:
<http://www3.od.nih.gov/oma/manualchapters/>

A. Purpose:

This chapter provides guidance on acquisitions that require (1)

clearance, (2) technical coordination,(3) the use of a required source, or (4) an information copy of the purchase order/contract to be furnished to a particular office.

B. Background:

This Manual Chapter replaces Manual Chapter 26307-3/6307-3, "Special Clearance and Other Acquisition Procedures," dated 10/01/96. It covers procedures both for simplified acquisitions and for contract actions. This Manual Chapter addresses clearances as well as acquisition procedures other than clearances, since these other procedures are necessary prior to the actual procurement of the commodity/service (except for item [4] above, information copy, which is required at the time of award). This Manual Chapter sets out not only the procedure required, but the officials responsible for the completion of each procedure.

C. Policy:

It is the policy of the NIH to minimize the number of clearances and required sources to those mandated by statute or regulation. Included are those procedures that are necessary in order to protect the life and health of employees and other persons, and for the prevention of theft and/or damage to any property.

D. References:

1. Federal Acquisition Regulation, 48 CFR Chapter 1
2. Federal Property Management Regulation, 48 CFR Chapter 101
3. Health and Human Services Acquisition Regulation, 48 CFR Chapter 3
4. NIH Manual Chapters referenced in [Appendix 1](#)

E. Definitions:

1. Administrative Data Base (ADB): NIH's automated system used for ordering and receiving of commodities and services.
2. Clearance: The acquisition approval that must be obtained from a clearance office (as indicated in [Appendix 1](#)) prior to proceeding with the acquisition.
3. Clearance Office/Official: The office/individual who makes the clearance approval or disapproval determination.
4. Clearance Request: The memorandum, procurement request (e.g., NIH 1861-1), unapproved copy of DELPRO order, or

unapproved copy of on-line requisition that is forwarded to the Clearance Office for acquisition approval.

5. Contracting Officer: An individual who has been issued a warrant (a Certificate of Appointment) by the Principal Official Responsible for Acquisition (PORA) authorizing him/her to enter into, administer, and terminate contracts and to make related determinations and findings. The warrant authorizes the individual (within specified dollar limits) to obligate the Government for commodities and services.
6. DELPRO Approving Official: An individual, typically an Administrative Officer, Administrative Assistant or Lead Purchasing Agent who is granted Delegated Acquisition Authority (up to specified dollar limits) to obligate appropriated funds.
7. DELPRO Ordering Official: An individual, usually a purchasing agent, responsible for ordering using the Delegated Procurement mechanisms or submitting an on-line requisition for commodities/services to the centralized/decentralized purchasing office.
8. Information Copy: A copy of the executed purchase order/contract which is forwarded to the office for the applicable commodity/service listed in [Appendix 1](#). This copy is required for either coordination or reporting purposes.
9. On-line Requisitions: Requisitions (RQMs) that are placed into the Administrative Data Base for processing as a procurement by the centralized/decentralized purchasing or contracting staff.
10. Principal Official Responsible for Acquisition (PORA): The official in charge of the major acquisition activity within the HHS agency.
11. Purchase Cardholder: An individual delegated authority to use a Government-wide purchase card under the "International Merchant Purchase Authorization Card" (I.M.P.A.C.) Program.
12. Purchase Card Approving Official: The purchase cardholder's immediate supervisor or higher level official, or the cardholder's Administrative Officer.
13. Request for Purchase Action (RPA): The ADB electronic version of the paper form, NIH-1861-1.
14. Requester: The individual, usually in an Institute or Center (IC), who initiates a procurement request, either on-line or by use of a

requisition form.

15. Required Source: The office that must be used to acquire or provide the particular commodity/service. These offices are considered vital to the NIH to ensure quality, compatibility and/or the best possible price for the commodity/service.
16. Service & Supply Fund Activity System/Central Services Area (SSFAS CSA): An ADB Service and Supply Fund activity request.
17. Technical Coordination: The required communication and coordination that the requester must have with the appropriate office (as indicated in [Appendix 1](#)), prior to submitting a procurement request or a request for contract to the IC Ordering Office.

F. Responsibilities:

1. Requester: Responsible for initiating the procurement request and obtaining the required technical coordination as listed in [Appendix 1](#) of this Manual. The requester should coordinate with a purchasing agent in checking the appropriate Federal and NIH required sources.
2. DELPRO Ordering Official and Purchase Cardholder: Responsible for obtaining the required clearances and disseminating information copies as identified in [Appendix 1](#), unless otherwise specified in instructions.
3. DELPRO and Purchase Card Approving Official: Responsible for ensuring that the required clearances or technical coordinations have been obtained and that the required sources are used whenever appropriate.
4. Centralized/Decentralized Purchasing Agents/Contracting Officer: Responsible for notifying the DELPRO Ordering Official or the requesting office (e.g. project office) if the appropriate clearances are not contained in the procurement request or acquisition project plan, unless the contracting officer is specified in the instruction in [Appendix 1](#).
5. Clearance Office/Official: Responsible for approving or disapproving the clearance request within five working days, and resolving questions/problems arising from a clearance request.

G. Procedures:

Search for the desired commodity in [Appendix 1](#) and, if applicable,

follow the instructions found there. (NOTE: Appendix 1 represents statutory, regulatory, and NIH requirements. IC internal policy must be checked for more stringent requirements and/or an IC-specific waiver from NIH requirements.)

1. Clearance: A commodity with an "X" in the Clearance column must have Clearance Office approval prior to placing an order or executing a contract. Failure to complete this required step could cause a significant delay in the acquisition process.

- a. Non-On Line Clearance:

- (1) ADB Acquisition (Purchase Order, Record of Call [ROC], and Contract): The clearance request is forwarded by the DELPRO Ordering Official to the appropriate clearance office.

NOTE: While on-line requisitions (RQMs) for contracts and purchase orders and DELPRO orders such as ROCs may be entered into the Administrative Data Base (ADB) system prior to clearance, orders/contracts may not be placed until after the IC or NIH clearances have been obtained. At the time that the unapproved order/contract requirement is placed into the ADB, a comment must be typed in the **RMKS:** field indicating that the order/contract requirement is awaiting clearance, and the type of clearance being sought.

For RQMs, the DELPRO Ordering Official must also enter on the CLEARANCE screen the clearance office's acronym (see [Appendix 2](#)) in the **CLR OFFICE** field.

The clearance office, after approving or disapproving the request, returns the original or FAXed document to the DELPRO Ordering Official. If the request is disapproved, clarify the issues, make required changes, and reissue the clearance request.

Orders/contracts may be placed with the vendor after the clearance is received and all other required actions, as applicable, have been accomplished.

NOTE: If an ROC was entered into the ADB before clearance was received, the ordering official must revise the effective date of the order.

The clearance office's acronym (see [Appendix 2](#)) and the

approval date are entered into the **RMKS:** field by the DELPRO Ordering Official.

The DELPRO Approving Official can then approve the RQM or ROC. Approval of the requisition will certify that all clearances have been obtained and have been filed in the official IC acquisition file which must be retained for three years after final payment is made for simplified acquisitions, and for six years and three months after final payment for contracts.

A copy of the clearance does not need to be forwarded to the centralized/decentralized purchasing office, except for contract actions where the clearance approval must be obtained and filed in the official contract file.

(2) Acquisitions not in ADB: For acquisitions which are not processed through the ADB, such as extramurally funded and R&D contracts, the project officer or contracting officer must secure the necessary clearance and provide approval documentation in the Acquisition Plan/Request for Contract Action. The original or signed copy of the clearance must be filed in the official acquisition file for six years and three months after final payment of the contract.

(3) Acquisitions not in ADB: For acquisitions which are not processed through the ADB, such as purchases made with the purchase card, the Purchase Cardholder must secure the necessary clearances and provide approval documentation in the acquisition file.

- b. On-line Clearance: On-line clearances differ from the above procedures in that they are used only for on-line requisitions (RQM) or Requests for Purchase Action (RPA) and are cleared on-line. The RQM or RPA is electronically sent to specifically designated clearance offices whose acronym is identified on the CLEARANCE screen.

After on-line approval by the clearance office, the on-line requisition is electronically forwarded to the appropriate procurement office for processing.

- 2. Technical Coordination: A commodity with an "X" in the Technical Coordination column requires Technical Coordination prior to submission of the procurement request. The Requester

must communicate and coordinate with and follow the guidance provided by the office indicated in [Appendix 1](#). Technical coordination will vary depending on the office and the nature of that particular office's requirements. Technical Coordination guidance and recommendations exist to ensure that commodities/services ordered meet standards in place at NIH for safety and for compatibility with pre-existing systems. The requester should note on the procurement request the office contacted, the individual spoken with, the date, and a summary of the technical discussion. This information will assure the Approving Official that the technical coordination was conducted. No further documentation is required.

3. Required Source: A commodity with an "X" in the Required Source column must be procured through the office indicated in [Appendix 1](#). These offices have the specialized expertise for the provision of specific supplies, services, or equipment in the most cost efficient and effective manner for NIH. They usually have established sources of supply that permit prompt ordering.
4. Information Copy: A commodity with an "X" in the Information Copy column requires that a copy of the purchase order/contract be forwarded to the designated office for reporting/coordination purposes.

H. Exceptions:

1. The National Institute of Environmental Health Sciences (NIEHS) is permitted to substitute equivalent NIEHS clearances, technical coordinations, required sources, information copies only for their operations in Research Triangle Park, North Carolina. NIEHS policies and procedures governing the above mechanisms should be consistent with the policies and procedures contained herein.
2. If a commodity/service purchased on a routine basis at a geographically remote location would be more reasonably approved by other than the established NIH office as published in this Manual, written procedures must be put in place documenting the alternative procedure. A signed concurrence must be obtained by the IC Director or Executive Officer (EO), the head of the established NIH office as named in this Appendix 1, and the head of the office (e.g., clearance, technical coordination or required source office) which is proposing to undertake the responsibility. A copy of the final agreement will be kept on file in the Office of Procurement Management, Division of Policy and Planning, 6011 Executive Blvd., Rm.

549-E-1.

I. Manual Chapter Additions or Changes:

Offices should submit, in writing, proposed new clearances, technical coordinations, required sources, information copies only, and proposed changes to these existing procedures, through their IC Manual System Contact, to the Director, Division of Policy and Planning, Office of Procurement Management, 6011 Executive Blvd., Rm. 549-E-1. Submissions must include a justification citing applicable policies, directives, regulations or statute. NIH Clearance/Technical Coordination/Required Sources/Information Copy Only Offices must coordinate proposals to establish on-line clearances, etc., when approved, with the Chief, Information Systems Branch, Office of Computing Resources & Services, CIT, on 496-6257.

J. Records Retention and Disposal:

All records (e-mail) pertaining to this chapter are retained and disposed of under the authority of NIH Manual [1743](#), "Keeping and Destroying Records", Appendix 1, "NIH Records Control Schedule", @ Item 2600-A-4, "Routine Procurement Files" and Item 1100-M-1 "Administrative Files".

NIH e-mail messages, (messages, including attachments, that are created on NIH computer systems or transmitted over NIH networks) that are evidence of activities of the agency or have informational value are considered Federal Records. These records must be maintained in accordance with current NIH Records Management guidelines. If necessary, back-up file capability should be created for this purpose. Contact your IC Records Officer for additional information.

All e-mail messages are considered Government property, and, if requested for a legitimate Government purpose, must be provided to the requester, employees, supervisors, NIH staff conducting official reviews or investigations, and the Office of Inspector General may request access to or copies of the e-mail messages. E-mail messages must also be provided to Congressional oversight committees if requested and are subject to Freedom of Information Act requests. Since most e-mail systems have back-up files that are retained for significant periods of time, e-mail messages and attachments are likely to be retrievable from a back-up file after they have been deleted from an individual's computer. The back-up files are subject to the same requests as the original messages.

K. Management Controls:

The purpose of this manual issuance is to provide guidance on acquisitions that require (1) clearance, (2) technical coordination, (3) the

use of a required source, or (4) an information copy of the purchase order/contract to be furnished to a particular office. Through this manual issuance, the Office of Procurement Management, is accountable for the method used to ensure that management controls are implemented and working. Oversight to ensure effective implementation and compliance with this policy will be accomplished by contacting each IC listed in Appendix 1 of this manual, semi-annually, to ensure that the requirements listed in [Appendix 1](#) are still applicable, and to ensure compliance with current FAR and HHSAR regulations.

Appendix 1. Special Clearance and Other Acquisition Procedures:

26307-3 Special Clearance and Other Acquisition Procedures

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Appendix 2. Definitions of Acronyms:

ACRONYM	DEFINITION
FIC	Fogarty International Center
HCA	Head of the Contracting Activity
ORS/DIRS/MAPB	Office of Research Services, Division of Intramural Research Services, Medical Arts and Photography Branch
ORS/DIRS/VRP	Office of Research Services, Division of Intramural Research Services, Veterinary Resources Program
OC	Office of Communications, Office of the Director
OLM	Office of Logistics Management
OPRR	Office for Protection from Research Risks
ORS/DES	Office of Research Services, Division of Engineering Services
ORS/DPS	Office of Research Services, Division of Public Safety
ORS/DS	Office of Research Services, Division of Safety

ORS/DSFM	Office of Research Services, Division of Space and Facility Management
ORS/DSS	Office of Research Services, Division of Support Services
CIT/OTM	Center for Information Technology, Office of Telecommunications Management

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